

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

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|---------------------------|---|---------------------------|
| UNITED STATES OF AMERICA, | : | Case No. 3:09CR125 |
| Plaintiff, | : | Judge Walter Herbert Rice |
| v. | : | |
| ERIC ADAMS, | : | |
| Defendant. | : | |

**UNITED STATES' MOTION FOR FINAL ORDER OF FORFEITURE
OF DEFENDANT ERIC ADAMS' ASSETS**

The United States of America, by its undersigned counsel, respectfully submits its Motion for a Final Order of Forfeiture in the above-entitled case for the reasons set forth in the following supporting suggestions. A proposed order is submitted with this motion.

SUPPORTING SUGGESTIONS

1. On August 21, 2009, a one (1) Count Information was filed against Defendant, Eric Adams. Count One charged the Defendant with Possession of Child Pornography in violation of 18 U.S.C. §2252(a)(4)(B) and (b)(2). (Doc. 2.)

2. On August 24, 2009, the Defendant entered into a Plea Agreement, and plead guilty to Count One charging him with Possession of Child Pornography in violation of 18 U.S.C. §2252(a)(4)(B) and (b)(2). (Doc. 4.)

3. In pleading guilty to Count One charging the Defendant with Possession of Child Pornography violation of 18 U.S.C. §2252(a)(4)(B) and (b)(2), the Defendant agreed to the forfeiture, pursuant to 18 U.S.C. §2253(a)(1) and (3), of his interest in the following Subject Property:

a. One E-Machine desktop computer system, serial number RN558162-071

4. On November 19, 2009, this Court entered a Preliminary Order of Forfeiture regarding the above property, finding that the United States has established that the Defendant, Eric Adams, has an interest in the property; has established the required nexus between the property and the offense; and has established that the property is subject to forfeiture pursuant to 18 U.S.C. §2253(a)(1) and (3). (Doc.10.)

5. In accordance with the Preliminary Order of Forfeiture, the applicable forfeiture statute(s) and Rule 32.2 of the Federal Rules of Criminal Procedure, the United States published notice of this forfeiture action, and the intent of the United States to dispose of the property in accordance with law, and further notified all parties of their right to petition the Court for a hearing to adjudicate the validity of their alleged interest in the property, beginning on November 21, 2009, continuing for at thirty (30) consecutive days on the www.forfeiture.gov website. (Doc.14.)

6. The United States did not send direct written notice of the Preliminary Order of Forfeiture because there was no person who reasonably appeared to be a potential claimant with standing to contest the forfeiture of the property in the ancillary proceeding.

7. No claims have been filed against the properties described above. Therefore, based on the above, all third-party interests are barred by failure of those parties to file a timely petition.

8. On December 22, 2009, a Judgment was entered and in the Judgment, the Defendant was ordered to forfeit the following property:

a. One E-Machine desktop computer system, serial number RN558162-071.

(Doc. 12.)

9. Accordingly, the United States respectfully requests that this Court enter a Final Order of Forfeiture against the following property:

a. One E-Machine desktop computer system, serial number RN558162-071

as proposed in the attached order.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on this 31st day of March, 2010, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the counsel of record.

s/Sheila G. Lafferty
SHEILA G. LAFFERTY
Assistant United States Attorney